

**Amendments to Claims:**

This listing of claims will replace all prior versions and listings of claims in the instant application:

**Listing of Claims:**

1. (Currently Amended) A computer-implemented method of providing promotional material to consumers comprising:

generating in a merchant computer system a merchant request to stimulate commerce for merchant-specified products;

establishing a computer communications session between the merchant computer system and a third-party remote shopping stimulation system, wherein the merchant request is conveyed to the third-party remote shopping stimulation system;

reading with said third-party remote shopping stimulation system consumer purchase information from a plurality of merchant computer systems, said consumer purchase information comprising consumer identifying information, [[and]] purchased product information, and communication mode information indicating in which communication mode promotional material can be delivered to a particular consumer;

based at least in part on said consumer purchase information, identifying one or more potential consumers who have previously purchased one or more of the merchant-specified products;

determining based upon predetermined product attributes irrespective of merchant inventories that at least one of the merchant-specified products is an obsolete product when a new or alternate version of the at least one of the merchant-specified products has at least one among current availability and expected availability within a predetermined time period, and ascertaining which of said identified potential consumers previously purchased at least one of said obsolete products;

in said third-party remote shopping stimulation system, generating promotional material for said new or alternate version of the at least one of the merchant-specified products for the one or more potential customers ascertained as having previously purchased the at least one of said merchant-specified products identified as an obsolete product, and associating said promotional material corresponding to said new or alternate version of the at least one of the merchant-specified products with said ascertained consumers;

determining for each of said identified consumers whether promotional material can be delivered via regular mail, electronic mail, telephone communication, or Internet communication, wherein the determination for each particular identified consumer is based upon communication mode information uniquely corresponding to the particular consumer; and

making said promotional material available to said identified consumers using a promotional material delivery system, wherein said delivery system delivers promotional material to each particular identified consumer via the communication mode indicated by the communication mode information uniquely corresponding to the particular consumer.

2. (Previously Presented) The method of claim 1, said identifying step further comprising determining a product consumption rate from said consumer purchase information to identify said one or more potential consumers of the merchant-specified products.

3. (Previously Presented) The method of claim 1, wherein said promotional material and said consumer purchase information include person-to-person transactions and Internet-based transactions.

4. (Previously Presented) The method of claim 1, wherein each said step is performed responsive to the merchant system detecting a business necessity

corresponding to said new or alternate versions of said product identified as an obsolete product, wherein said business necessity corresponds to a merchant of said new or alternate versions of said product identified as an obsolete product having excess inventory of said new or alternate versions of said product identified as an obsolete product.

5. (Previously Presented) The method of claim 1, wherein said consumer purchase information is read from a purchase history database comprising consumer purchase information for a plurality of different merchants, and wherein the third-party remote shopping stimulation system responds to merchant requests from said plurality of different merchants.

6. (Previously Presented) The method of claim 1, wherein the one or more merchant-specified products comprise a service.

7. (Previously Presented) The method of claim 1, said product information comprising product expiration information and product identifying information, wherein said step of identifying one or more potential consumers of products is based upon the expiration information of products.

8. (Original) The method of claim 1, wherein said promotional material made available to said identified consumers is in electronic format.

9. (Original) The method of claim 1, wherein said promotional material made available to said identified consumers is in printed format.

10. (Currently Amended) A system for providing promotional material to consumers comprising:

a merchant computer system configured to generate a merchant request to stimulate commerce for one or more merchant-specified products;

a merchant inventory management system configured to track shipments received by one or more merchants of the one or more merchant-specified products;

a shopping stimulation logic unit in communication with said merchant inventory management system for determining based upon predetermined product attributes irrespective of merchant inventories that at least one merchant-specified product is an obsolete product when a new or alternate version of the at least one merchant-specified product has at least one among current availability and expected availability within a predetermined time period, and identifying the at least one merchant-specified product as an obsolete product;

a promotional information database, accessible by said shopping stimulation logic unit and comprising consumer identifying information identifying one or more potential consumers who have previously purchased the at least one merchant-specified product identified as an obsolete product and indicating a communication mode in which promotional material can be delivered to a particular consumer; and

a promotional material delivery system configured to generate promotional material for the one or more potential customers identified as having previously purchased the at least one merchant-specified product identified as an obsolete product and to make said promotional material available to said identified consumers;

wherein the promotional delivery system is further configured to determine for each potential consumer whether promotional material can be delivered via regular mail, electronic mail, telephone communication, or Internet communication, the determination being based upon communication mode information uniquely corresponding to the particular potential consumer;

wherein the promotional delivery system makes said promotional material available to each potential consumer via the communication mode indicated by the

communication mode information uniquely corresponding to the particular potential consumer.

11. (Original) The system of claim 10, further comprising:  
a consumer purchase information data structure for storing consumer identifying information and product information corresponding to a purchase transaction.
12. (Original) The system of claim 10, further comprising:  
a commerce system for collecting said consumer purchase information in a computer communications network environment.
13. (Previously Presented) The system of claim 10, further comprising:  
a point of sale system for collecting said consumer purchase information from in store and Internet purchases.
14. (Cancelled)
15. (Cancelled)
16. (Currently Amended) A computer-implemented method of providing promotional material to consumers comprising:  
establishing a computer communications session between a merchant computer system and a third-party remote shopping stimulation system;  
reading with said third-party remote shopping stimulation system consumer purchase information from a plurality of merchant computer systems, said consumer purchase information comprising consumer identifying information, [[and]] product information corresponding to merchant-specified products, and communication mode

information indicating a communication mode in which promotional material can be delivered to a particular consumer;

determining based upon predetermined product attributes irrespective of merchant inventories that at least one of the merchant-specified products is an obsolete product when said at least one of said merchant specified products has at least one among a new or alternate version having current availability, a new or alternate version having expected availability within a predetermined time period, and a new or alternate version replacing said at least one of the merchant-specified products reaching an end of a product life cycle, and identifying at least one of the merchant-specified products as an obsolete product;

in response to determining that at least one of the merchant-specified products is an obsolete product, identifying one or more potential consumers who previously purchased the obsolete products based at least in part on said consumer purchase information;

in said third-party remote shopping stimulation system, generating promotional material for said new or alternative version of the identified obsolete product and associating said promotional material corresponding to said new or alternative version of said identified obsolete product with said identified consumers;

determining for each of said identified consumers whether promotional material can be delivered via regular mail, electronic mail, telephone communication, or Internet communication, wherein the determination for each particular identified consumer is based upon communication mode information uniquely corresponding to the particular consumer; and

making said promotional material available to said identified consumers using a promotional material delivery system, wherein said delivery system delivers promotional material to each particular identified consumer via the communication mode indicated by the communication mode information uniquely corresponding to the particular consumer.

17. (Previously Presented) The method of claim 16, said identifying step further comprising determining a product consumption rate from said consumer purchase information to identify said one or more potential consumers of each of the merchant-specified products.

18. (Previously Presented) The method of claim 16, wherein said promotional material and said consumer purchase information include person-to-person transactions and Internet-based transactions.

19. (Previously Presented) The method of claim 16, wherein each said step is performed responsive to the merchant system detecting a business necessity corresponding to said new or alternate version of said product identified as an obsolete product, wherein said business necessity corresponds to a merchant of said new or alternate versions of said product identified as an obsolete product having excess inventory of said new or alternate versions of said product identified as an obsolete product.

20. (Previously Presented) The method of claim 16, wherein said consumer purchase information is read from a purchase history database comprising consumer purchase information for a plurality of different merchants, and wherein the third-party remote shopping stimulation system responds to merchant requests from said plurality of different merchants.

21. (Previously Presented) The method of claim 16, wherein the merchant-specified products comprise a service.

22. (Previously Presented) The method of claim 16, wherein said product information further comprises product expiration information and product identifying

information, wherein said step of identifying one or more potential consumers of products is additionally based upon the expiration information of products.

23. (Previously Presented) The method of claim 16, wherein said promotional material made available to said identified consumers is in electronic format.

24. (Previously Presented) The method of claim 16, wherein said promotional material made available to said identified consumers is in printed format.